

PART 43

**USTA
BIENNIAL REVIEW PETITION
AUGUST 11, 1999**

Rule No.	Action	Justification
43.21	43-01 Annual Summary Report - Consolidate FCC reports 43-01, 43-02, and 43-04 into one new report, 43-00.	Cash flow information is readily available. Demand data is available on the 43-08. Only six Part 69 reporting categories relevant in today's marketplace.
	43-02 USOA - Eliminate-report. Consolidate relevant information into report 43-00.	Many of these schedules have their origin and continued practical significance in rate of return/cost of service regulation. In addition, these schedules contain information that is publicly available in submissions to the SEC. Affiliate transaction data is unnecessary. Plant and depreciation reserve tables are unnecessary. They should be eliminated.
	43-03 Joint Cost Report Replace existing report with consolidation of income and investment information and the combination of the direct, indirect, and generally allocated columns.	Information contained on this report is readily available from other sources.
	495A (Forecast Report) and 495B (Actual Usage Report) Eliminate these reports in entirety.	These reports are unnecessary in today's pro-competitive environment, and create an unnecessary burden imposed on LECs.
	43-04 Access Report - Eliminate this report. Information consolidated into report 43-00.	This report is no longer necessary in the public interest.
	43-05 Delete existing Tables I, II and V of the five tables in the report	Information concerning installation and repair intervals is included in tariffs and service agreements. This reports is duplicative and also contains data that can be used by other providers to give them a competitive advantage. Local service is within the state regulatory commissions jurisdiction. There is no longer a need to report common trunk blockage. ILECs already report on initial and thirty day service disruptions. The FCC receives complaint data from the state commissions. LECs should not be required to report the same

Rule No.	Action	Justification
		information.
43.21(h)	43-06 Delete this entire report. Eliminate Paragraph 43.21(h)	Customer satisfaction survey reporting is unnecessary in a competitive environment. Customers now have more options including filing complaints with the commission or switching to another provider.
43.21(i)	43-07 Delete this entire report. Eliminate Paragraph 43.21(i)	Network services reported in this table are ubiquitous, and there is no need to provide this data. No need to report on the deployment of fiber. The data on these tables is redundant and no longer adds any value..
43.21(j)	43-08 Modify part of Table I.A (delete columns (d) through (o). Eliminate Table III entirely. File the revised report on a "Holding Company" basis, rather than on an operating company basis. Modify rules to reflect this change.	This report requires more detail than is needed in today's competitive environment. In a pro-competitive environment, information should not be required from only one class of provider.

PART 61

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Rule	Action	Justification
61.2	<u>Clear and explicit explanatory statements.</u> Section deleted.	Section adds no value.
61.3 now 61.2	<u>Definitions.</u> Definitions associated with price cap regulation are deleted and moved to Part XX. Contract based tariff language modified to be a contract between Carrier and customer.	All price cap regulation rules moved to new Part XX. Contract based tariff language change allows additional flexibility for ILECs to offer contract based tariffs in response to RFPs.
	GENERAL RULES Title deleted.	Title no longer necessary.
	RULES FOR ELECTRONIC FILING Replace title with: ELECTRONIC TARIFF FILINGS	Revised and moved Title for Electronic Tariff Filings section.
61.13 now 61.44	<u>Scope.</u> Section for electronic tariff filing requirements moved and renumbered.	Complies with Commission requirements for tariffs to be filed electronically.
61.14 now 61.45	<u>Method of filing publications.</u> Section for electronic tariff filing requirements moved and renumbered. Revised to enable carriers to submit tariff filing fees electronically.	Complies with Commission requirements for tariffs to be filed electronically. Added requirements from the 1998 Biennial Regulatory Review – Part 61 Report and Order in CC Docket No. 98-131, released on August 3, 1999 (“Part 61 Biennial Review Order”).
61.15 now 61.46	<u>Letters of transmittal and cover letters.</u> Section for electronic tariff filing requirements moved and renumbered.	Complies with Commission requirements for tariffs to be filed electronically.

Rule	Action	Justification
61.16 now 61.47	<u>Base Documents.</u> Section for electronic tariff filing requirements moved and renumbered.	Complies with Commission requirements for tariffs to be filed electronically.
61.17 now 61.48	<u>Method of filing applications for special permission.</u> Section for electronic tariff filing requirements moved and renumbered. Revised to no longer require carriers seeking special permission electronically to also file a paper copy with the Commission's secretary.	Complies with Commission requirements for tariffs to be filed electronically. The FCC, on its own motion, revised the rule governing electronic applications for special permission in the Streamlined Tariff Filing First Order on Reconsideration in CC Docket No. 96-187, released on August 3, 1999.
	GENERAL RULES FOR DOMESTIC AND INTERNATIONAL NONDOMINANT CARRIERS Replace title with: GENERAL RULES FOR COMMON CARRIERS	The general rules that are the same for all carriers have been consolidated into this one section.
61.20	<u>Detariffing of interstate, domestic, interexchange services.</u> Section deleted.	Specific nondominant IXC general tariff rules are no longer necessary.
61.21 now 61.10	<u>Method of filing publications.</u> Moved International carrier requirements from 61.21(b)(2) to new 61.11(a)(2) (new International Carrier section). Reference to Tariff Review Branch changed to Tariff and Pricing Analysis Branch.	Moved specific reference to International carrier requirements to new 61.11 to consolidate rules regarding International's. This paragraph consolidates all "method of filing publications" into this section. Bureau changed title of organization responsible for tariffs.

Rule	Action	Justification
61.22 now 61.11	<u>Cover Letters.</u> All cover letter information consolidated into this paragraph, including International from 61.21(b)(2). Exception of 61.32(b) (fees) removed.	Consolidated cover letter rules into this one paragraph. Exception regarding fees was redundant, and therefore eliminated.
	SPECIFIC RULES FOR DOMESTIC AND INTERNATIONAL NONDOMINANT CARRIERS Replace Title with: SPECIFIC RULES FOR TARIFF PUBLICATIONS	Title change reflects correct application of the rules to all common carriers, not just nondominant carriers.
61.23	<u>Composition of Tariffs.</u> Section deleted.	Specific non-dominant IXC rules no longer necessary.
61.24 now 61.15	<u>Notice Requirements</u> Sections 61.24 and 61.58 consolidated into 61.15. Tariff filings making corrections changed from a three-day notice period to a one-day notice period. Nondominant tariff filing notice period corrected from 14 days to 1 day. Moved paragraph 69.3(h) to 61.15(c)(1) and revised language for annual price cap filings. Annual Tariff Filing 90 day notice period changed to 7 or 15 days to comply with Section 204(a)(3) of the Act. Revise 61.15(c)(2) notice period for filings where API does not exceed PCI to be consistent with Section 204(a)(3).	Consolidates notice requirements for tariff publications of all common carriers in this section. Three-day notice period for corrections adds no value to the process. One day is sufficient. Corrects notice requirement language for nondominant carriers and price cap LECs.

Rule	Action	Justification
61.15	<u>Notice Requirements</u> Revise 61.15(c)(3) notice period for above band tariff filings from 120 days to 45 days.	120 days for above band filings excessive. 45 days is more reasonable.
61.15	<u>Notice Requirements</u> Delete Sections 61.15(c)(4), (5), (6) and (7).	Lower SBI limit rules are obsolete. New services are no longer subject to price cap regulation. New services will be filed on a streamlined basis with no cost support requirements. Restructures will be subject to Section 204(a)(3).
61.15	<u>Notice Requirements</u> Revise 61.15(e) to replace OIR with Section 61.70 requirements. Revise 61.15(f) language for Section 61.71 tariffs to be consistent with Section 204(a)(3).	Deleted OIR rules and revised ROR notice periods to be consistent with Section 204(a)(3) of the Act.
61.32 now 61.10	<u>Method of Filing Publications</u> Moved from nondominant IXC's section to new consolidated "Method of Filing Publication" section.	Consolidated general rules for all common carriers into paragraph 61.10.
61.33 now 61.12	<u>Letters of Transmittals.</u> This paragraph reorganized for a more logical flow. Paragraph 61.33 (b) eliminated, consolidated and moved into new 61.71 section. Eliminate references to contract based tariffs. Reference to Tariff Review Branch changed to Tariff and Pricing Analysis Branch.	Consolidated general rules for all common carriers. Specific tariff rules related to contract based tariffs are unnecessary and burdensome to LEC's. Having a special process and transmittal number for contract-based tariffs adds no value, and requires separate procedures for the LECs.
61.35 now 61.42	<u>Delivered free of charge.</u> Moved to 61.42 for more logical flow. No change in content.	Section renumbered in the reorganization of all tariff requirements.

Rule	Action	Justification
61.36 now 61.43	<p><u>Tariff publications not returned.</u> Moved to 61.43 for more logical flow. No change in content.</p>	Section renumbered in the reorganization of all tariff requirements.
61.38 now 61.70	<p><u>Supporting information to be submitted with letters of transmittal.</u> Moved to 61.70, under Rate of Return regulation. Revised applicable carrier language to be those LECs serving less than 2% of the nation's access lines. Revised and greatly reduced cost support requirements and information for tariffs filed pursuant to Section 204(a)(3) of the Act. Language added to state that a zone pricing plan must be filed before introducing zones in a tariff. Eliminated additional supporting material requirements for certain tariff rate increases.</p>	Consolidated all ROR regulation into one section. Applicable carrier language revised to be consistent with Section 251(f)(2) of the Act. Cost support requirements reduced to be consistent with section 204(a)(3) of the Act and to eliminate unnecessary requirements.
61.39 now 61.71	<p><u>Optional Supporting information to be submitted with letters of transmittal...</u> Moved to 61.71, under Rate of Return regulation. Revised applicable carrier language to be those LECs serving less than 2% of the nation's access lines. Revised section to refer to SLC and PICC ceilings established in revised Part 69. CCL rate formulas revised to clarify that they recover the revenue requirement not recovered by SLCs and PICCs.</p>	Consolidated all ROR regulation into one section. Applicable carrier language revised to be consistent with Section 251(f)(2) of the Act. Revisions made to be consistent with changes to Part 69 to SLCs and to add PICCs, with CCL recovering remaining revenue, per USTA ROR Access Reform Team proposals.

Rule	Action	Justification
61.40	<u>Private Line rate structure.</u> Section deleted.	Rules are obsolete. Previously applied to AT&T.
61.41	<u>Price cap requirements generally.</u> Section deleted and incorporated in new XX.1 rules. All references to dominant IXC's are eliminated.	All price cap regulation rules moved to Part XX. Eliminate obsolete language.
61.42	<u>Price cap baskets and service categories.</u> Section deleted and incorporated into new XX.102 rules. All references to dominant IXC's are eliminated.	All price cap regulation rules moved to Part XX. Eliminate obsolete language.
61.43	<u>Annual Price Cap filing required.</u> Section deleted and incorporated into 61.15.	The filing notice requirements are now incorporated in 61.15(c).
61.44	<u>Adjustments to the PCI for Dominant Interexchange Carriers.</u> Section deleted. All references to dominant IXC's are eliminated.	Dominant IXC price cap rules are obsolete.
61.45	<u>Adjustments to the PCI for Local Exchange Carriers.</u> Section deleted and incorporated into new XX.104 rules.	All price cap regulation rules moved to Part XX.
61.46	<u>Adjustments to the API.</u> Section deleted and incorporated into new XX.105 rules.	All price cap regulation rules moved to Part XX.

Rule	Action	Justification
61.47	<u>Adjustments to the SBI; pricing bands.</u> Section deleted and incorporated into new XX.106 rules.	All price cap regulation rules moved to Part XX.
61.48	<u>Transition rules for price cap formula calculations.</u> Section deleted. All references to dominant IXCs are eliminated. Transition rules for price cap LECs eliminated.	Dominant IXC price cap rules and transition rules for price cap LECs are obsolete.
61.49	<u>Supporting information to be submitted with letters of transmittal for tariffs of carriers subject to price cap regulation.</u> Section deleted. All references to dominant IXCs are eliminated. Cost support/tariff supporting material requirements eliminated.	Dominant IXC price cap rules are obsolete. Tariff cost support requirements are cumbersome and unnecessary.
61.50	<u>Scope: Optional incentive regulation for rate of return LECs.</u> Section deleted.	Deleted OIR rules for ROR ILECs to incorporate requirements of the Part 61 Biennial Review Order.
New 61.50	<u>Filing of access service tariffs.</u> Moved Section 69.3 to this new section. References to OIR rules are eliminated.	Consolidated all filing of access tariff requirements into Part 61. Deleted OIR rules for ROR ILECs to incorporate requirements of the Part 61 Biennial Review Order.
61.51	<u>LEC filing requirements pursuant to section 204(a)(3) of the Communications Act.</u> Section deleted and incorporated into Section 61.15.	All tariff filing notice requirements incorporated into 61.15.

Rule	Action	Justification
61.52 now 61.14	<u>Form, size, type, legibility, etc.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.53 now 61.17	<u>Consecutive numbering.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.54 now 61.13	<u>Composition of tariffs.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.55 now 61.18	<u>Contract-based tariffs.</u> Reference to IXCs deleted.	Section renumbered in the reorganization of all tariff requirements. LECs are now provided the flexibility to file contract-based tariffs.
61.56 now 61.19	<u>Supplements.</u> Revised section to extend the use of supplements to defer the effective date of pending tariff revisions. Also, special permission is not needed for voluntary deferrals.	Section renumbered in the reorganization of all tariff requirements. Added requirements from the Part 61 Biennial Review Order.
61.57 now 61.20	<u>Cancellation of tariffs.</u> Revised section to make consistent with change in use of supplements and voluntary deferrals in Section 61.19.	Section renumbered in the reorganization of all tariff requirements. Added requirements from the Part 61 Biennial Review Order.
61.58 now 61.15	<u>Notice requirements.</u> Incorporate into revised 61.15.	Consolidate notice requirements under "Specific Rules for Tariff Publications" section.

Rule	Action	Justification
61.59	<u>Effective period required before changes.</u> Section deleted.	Deletes requirement that tariffs be in effect for 30 days before any changes are made.
61.67	<u>New or discontinued telephone and teletypewriter service points; mileages.</u> Section deleted.	Deletes obsolete rules.
61.68 now 61.16	<u>Special notations.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.69 now 61.21	<u>Rejection.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.71	<u>Reissued matter.</u> Section deleted.	Deletes obsolete rules.
61.72 now 61.22	<u>Posting.</u> Change section title to: <u>Public information requirements.</u> Eliminated posting of tariffs. Revised language so that information on rates and a contact telephone number are provided. ILECs with an Internet web site must make their tariffs available on their site, in addition to the FCC web site.	Section renumbered in the reorganization of all tariff requirements. Section revised to incorporate requirements of the Part 61 Biennial Review Order.
61.73 now 61.23	<u>Duplication of rates or regulations.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.

Rule	Action	Justification
61.74 now 61.24	<u>References to other instruments.</u> Added language for reference to technical publications.	Section renumbered in the reorganization of all tariff requirements. Language added consistent with requirements of the Part 61 Biennial Review Order. Also deletes obsolete rules.
	CONCURRENCES	
61.131 now 61.28	<u>Scope.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.132 now 61.29	<u>Method of filing concurrences.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.133 now 61.30	<u>Format of concurrences.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.134 now 61.31	<u>Concurrences for through services.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.135 now 61.32	<u>Concurrences for other purposes.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.136 now 61.33	<u>Revocation of concurrences.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.

Rule	Action	Justification
	APPLICATIONS FOR SPECIAL PERMISSION	
61.151 now 61.34	<u>Scope.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.152 now 61.35	<u>Terms of applications and grants.</u> Deleted unnecessary language. Extended grant period to 90 days.	Section renumbered in the reorganization of all tariff requirements. Eliminates the reapplication for grants. Grant authority extended from 60 to 90 days.
61.153 now 61.36	<u>Method of filing applications.</u> Revised to make an exception to enable carriers to submit tariff filing fees electronically.	Section renumbered in the reorganization of all tariff requirements. Added requirements from the Part 61 Biennial Review Order.
	ADOPTION OF TARIFFS AND OTHER DOCUMENTS OF PREDECESSOR CARRIERS	
61.171 now 61.37	<u>Adoption notice.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.172 now 61.38	<u>Changes to be incorporated in tariffs of successor carrier.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
	SUSPENSIONS	
61.191 now 61.39	<u>Carrier to file supplement when notified of suspension.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.

Rule	Action	Justification
61.192 now 61.40	<u>Contents of supplement announcing suspension.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
61.193 now 61.41	<u>Vacation of suspension order; supplements announcing same; etc.</u> No change in content.	Section renumbered in the reorganization of all tariff requirements.
New	RULES FOR NONDOMINANT COMMON CARRIERS Title added.	Add Title for new Nondominant Common Carrier rules.
New 61.80	<u>Retention of information concerning detariffed interexchange services.</u> Moved Section 42.11 to this new section.	Section 42.11 requirements for nondominant IXCs to maintain price and service information are moved to Part 61. The remainder of Part 42 is eliminated.

USTA BIENNIAL REVIEW PROPOSAL

CODE OF FEDERAL REGULATIONS

TITLE 47 - TELECOMMUNICATIONS

CHAPTER I

FEDERAL COMMUNICATIONS COMMUNICATION

PART 61 - TARIFFS

PART 61—TARIFFS

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- 61.37 Adoption notice.
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INCUMBENT LOCAL EXCHANGE CARRIER RATE OF RETURN REGULATION

- 61.50 Filing of access service tariffs.
- 61.70 Supporting information to be submitted with letters of transmittal.
- 61.71 Optional supporting information to be submitted with letters of transmittal for Access Tariff filings effective on or after April 1, 1989, by local exchange carriers serving fewer than 2% of the nation's subscriber access lines.

RULES FOR NONDOMINANT COMMON CARRIERS

- 61.80 Retention of information concerning detariffed interexchange services.

§ 61.1 Purpose and application.

- (a) The purpose of this part is to prescribe the framework for the initial establishment of and subsequent revisions to tariff publications.
- (b) Tariff publications filed with the Commission must conform to the rules in this part. Failure to comply with any provisions of this part may be grounds for rejection of the non-complying publication.
- (c) No carrier required to file tariffs may provide any interstate or foreign communication service until every tariff publication for such communication service is on file with the Commission and in effect.

DEFINITIONS

§ 61.2 Definitions.

- (a) *Act*. The Communications Act of 1934 (48 Stat. 1004; 47 U.S.C. chapter 5), as amended.
- (b) *Association*. This term has the meaning given it in § 69.2(d).
- (c) *Change in rate structure*. A restructuring or other alternation of the rate components for an existing service.
- (d) *Charges*. The price for service based on tariffed rates.
- (e) *Commercial contractor*. The commercial firm to whom the Commission annually awards a contract to make copies of Commission records for sale to the public.
- (f) *Commission*. The Federal Communications Commission.
- (g) *Concurring carrier*. A carrier (other than a connecting carrier) subject to the Act which concurs in and assents to schedules of rates and regulations filed on its behalf an issuing carrier or carriers.
- (h) *Connecting carrier*. A carrier engaged in interstate or foreign communication solely through physical connection with the facilities of another carrier not directly or indirectly controlling or controlled by, or under direct or indirect common control with, such carrier.
- (i) *Contract-based tariff*. A tariff based on a service contract entered into between a carrier and another carrier or a customer.
- (j) *Corrections*. The remedy of errors in typing, spelling, or punctuations.
- (k) *Dominant carrier*. A carrier found by the Commission to have market power (i.e., power to control prices).
- (l) *Issuing carrier*. A carrier subject to the Act that publishes and files a tariff or tariffs with the Commission.
- (m) *Local Exchange Carrier*. Any person that is engaged in the provision of telephone exchange service or exchange access as defined in section 3(26) of the Act.
- (n) *New service offering*. A tariff filing that provides for a class or sub-class of service not previously offered by the carrier involved and that enlarges the range of service options available to ratepayers.
- (o) *Non-dominant carrier*. A carrier not found to be dominant.

- (p) *Other participating carrier*. A carrier subject to the Act that publishes a tariff containing rates and regulations applicable to the portion or through service it furnishes in conjunction with another subject carrier.
- (q) *Rate*. The tarified price per unit of service.
- (r) *Rate increase*. Any change in a tariff which results in an increased rate or charge to any of the filing carrier's customers.
- (s) *Rate level change*. A tariff change that only affects the actual rate associated with a rate element, and does not affect any tariff regulations or any other wording of tariff language.
- (t) *Regulations*. The body of carrier prescribed rules in a tariff governing the offering of service in that tariff, including rules, practices, classifications, and definitions.
- (u) *Restructured service*. An offering which represents the modification of a method of charging or provisioning a service; or the introduction of a new method of charging or provisioning that does not result in a net increase in options available to customers.
- (v) *Supplement*. A publication filed as part of a tariff for the purpose of suspending or cancelling that tariff, or tariff publication and numbered independently from the tariff page series.
- (w) *Tariff*. Schedules of rates and regulations filed by common carriers.
- (x) *Tariff publication, or publication*. A tariff, supplement, revised page, additional page, concurrence, notice of revocation, adoption notice, or any other schedule of rates or regulations filed by common carriers.
- (y) *Tariff year*. The period from the day in a calendar year on which a carrier's annual access tariff filing is scheduled to become effective through the preceding day of the subsequent calendar year.
- (z) *Text change*. A change in the text of a tariff which does not result in a change in any rate or regulation.
- (aa) *United States*. The several States and Territories, the District of Columbia, and the possessions of the United States.

GENERAL RULES FOR COMMON CARRIERS

§ 61.10 Method of filing publications.

(a) Except as specified in § 61.44, publications sent for filing must be addressed to "Secretary, Federal Communications Commission, Washington, DC 20554." The date on which the publication is received by the Secretary of the Commission (or the Mail Room where submitted by mail) is considered the official filing date.

(b) In addition, for all tariff publications requiring fees as set forth in part 1, subpart G of this chapter, issuing carriers must submit the cover letter (without attachments), FCC Form 159, and the appropriate fee to the Mellon Bank, Pittsburgh, PA at the address set forth in § 1.1105 of this chapter. Issuing carriers should submit these fee materials on the same date as the submission in paragraph (a) of this section.

(c) In addition to the requirements set forth in paragraphs (a) and (b) of this section, the issuing carrier must send a copy of the cover letter or transmittal letter with one diskette containing both the complete tariff and any attachments, as appropriate, to the Secretary, Federal Communications Commission. In addition, the issuing carrier must send one diskette of the complete tariff and a copy of the cover letter to the commercial contractor (at its office on Commission premises), and to the Chief, Tariff and Pricing Analysis Branch. The latter should be clearly labeled as the "Public Reference Copy." The issuing carrier should file the copies required by this paragraph so they will be received on the same date as the filings in paragraph (a) of this section.

§ 61.11 Cover letters.

(a)(1) All publications filed with the Commission must be accompanied by a cover letter, 8.5 by 11 inches (21.6 cm x 27.9 cm) in size. All cover letters should briefly explain the nature of the filing and indicate the date and method of filing of the original cover letter.
(2) International carriers must certify in their original cover letter that they are authorized under Section 214 of the Communications Act of 1934, as amended, to provide service, and reference the FCC file number of that authorization.

(b) A separate cover letter may accompany each publication, or an issuing carrier may file as many publications as desired with one cover letter.

NOTE: If a receipt for accompanying publication is desired, the cover letter must be sent in duplicate. One copy showing the date of the receipt by the Commission will then be returned to the sender.

§ 61.12 Letters of transmittal.

(a) Except as specified in § 61.10(b), all publications filed with the Commission must be accompanied by a letter of transmittal, A4 (21 cm x 29.7 cm) or 8.5 x 11 inches (21.6 cm x 27.9 cm) in size. All letters of transmittal must (1) concisely explain the nature and purpose of the filing; (2) specify whether supporting information under § 61.70 is required; (3) state whether copies have been delivered to the Commercial Contractor and Chief, Tariff and Pricing Analysis Branch, as required by § 61.10, and (4) contain a statement indicating the date and method of filing of the original of the transmittal letter as required by § 61.10(b), and the date and method of filing the copies as required by § 61.10 (a) and (c).

(b) Tariffs filed pursuant to section 204(a)(3) of the Communications Act shall display prominently in the upper right hand corner of the letter of transmittal a statement that the filing is made pursuant to that section and whether it is being filed on 7- or 15- days' notice.

(c) In addition to the requirements set forth in paragraph (a) of this section, any carrier filing a new or revised tariff made on 15 days' notice or less shall include in the letter of transmittal, the name, room number, street address, telephone number, and facsimile number of the individual designated by the filing carrier to receive personal or facsimile service of petitions against the filing as required under § 1.773(a)(4) of this chapter.

(d) In addition to the requirements set forth in paragraphs (a), (b), and (c) of this section, the letter of transmittal must specifically reference by number any special permission necessary to implement the tariff publication. Special permission must be granted prior to the filing of the tariff publication, and may not be requested in the transmittal letter.

(e) The letter of transmittal must be substantially in the following format.

(Exact name of carrier in full) _____

(Post Office Address) _____

_____, 19__ . _____

(Date) _____

Transmittal No. ____

Secretary,

Federal Communications Commission

Washington, DC 20554

Attention: Common Carrier Bureau.

The accompanying tariff (or other publication) issued by _____, and bearing FCC No. _____, effective _____, 19__, is sent to you for filing in compliance with the requirements of the Communications Act of 1934, as amended. (Here give the additional information required.)

(Name of issuing officer or agent) _____

(Title) _____

(f) A separate letter of transmittal may accompany each publication, or the above format may be modified to provide for filing as many publications as desired with one transmittal letter.

NOTE: If a receipt for accompanying publication is desired, the letter of transmittal must be sent in duplicate. One copy showing the date of receipt by the Commission will then be returned to the sender.

SPECIFIC RULES FOR TARIFF PUBLICATIONS

§ 61.13 Composition of tariffs.

(a) Tariffs must contain in consecutive order: A title page; check sheet; table of contents; list of concurring, connecting, and other participating carriers; explanation of symbols and abbreviations; application of tariff; general rules (including definitions), regulations, exceptions and conditions; and rates. If the issuing carrier elects to add a section assisting in the use of the tariff, it should be placed immediately after the table of contents.

(b) The title page of every tariff and supplement must show:

(1) *FCC number, indication of cancellations.* In the upper right-hand corner, the designation of the tariff or supplement as "FCC No. _____," or "Supplement No. _____ to FCC No. _____," and immediately below, the FCC number or numbers of tariffs or supplements cancelled thereby.

(2) *Name of carrier, class of service, geographical application, means of transmission.* The exact name of the carrier, and such other information as may be necessary to identify the carrier issuing the tariff publication; a brief statement showing each class of service provided; the geographical application; and the type of facilities used to provide service.

(3) *Expiration Date.* When the entire tariff or supplement is to expire with a fixed date, the expiration date must be shown in connection with the effective date in the following manner. Changes in expiration date must be made pursuant to the notice requirements of § 61.15, unless otherwise authorized by the Commission.

Expires at the end of _____ (date) unless sooner canceled, changed or extended.

(4) *Title and address of issuing officer.* The title and street address of the officer issuing the tariff or supplement in the format specified in § 61.14.

(5) *Revised title page.* When a revised title page is issued, the following notation must be shown in connection with its effective date:

Original tariff effective _____

(here show the effective date of the original tariff).

(c)(1) The page immediately following the title page must be designated as "Original page 1" and captioned "Check Sheet." When the original tariff is filed, the check sheet must show the number of pages contained in the tariff. For example, "Page 1 to 150, inclusive, of this tariff are effective as of the date shown." When new pages are added, they must be numbered in continuing sequence, and designated as "Original page ____." For example, when the original tariff filed has 150 pages, the first page added after page 150 is to be designated as "Original page 151," and the foregoing notation must be revised to include the added pages.

(2) If pages are to be inserted between numbered pages, each such page must be designated as an original page and must bear the number of the immediately preceding page followed by an alpha or numeric suffix. For example, when two new pages are to be inserted between pages 44 and 45 of the tariff, the first inserted page must be designated as Original page 44A or 44.1 and the second inserted page as Original page 44B or 44.2. Issuing carriers may not utilize both the alpha and numeric systems in the same publication.

(3) When pages are revised, when new pages (including pages with letter or numeric suffix as set forth above) are added to the tariff, or when supplements are issued, the check sheet must be revised accordingly. Revised check sheets must indicate with an asterisk the specific pages added or revised. In addition to the notation in (1), the check sheet must list, under the heading "The original and revised pages named below (and Supplement No. ____) contain all changes from the original tariff that are in effect on the date shown," all original pages in numerical order that have been added to the tariff and the pages which have been revised, including the revision number. For example:

Page	Number of revision except as indicated
Title	1st
1	*8th
3	5th
5A	*Orig.
10	*8th
151	Orig.

*New or Revised page.

(4) Changes in, and additions to tariffs must be made by reprinting the page upon which a change or addition is made. Such changed page is to be designated as a revised page, cancelling the page which it amends. For example, "First revised page 1 cancels original page 1," or "Second revised page 2 cancels first revised page 2," etc. When a revised page omits rates or regulations previously published on the page which it cancels, but such rates or regulations are published on another page, the revised page must make specific reference to the page on which the rates or regulations will be